

Serial #: 09/220,986

In reply to Office action mailed: 05/19/2005

Page 12 of 13

Remarks/Arguments

A. Restriction

The Examiner asked Applicant to restrict this application to one of the following inventions:

Group I: Claims 34-45, 47-62;

Group II: Claim 63.

In reply to the restriction requirement of May 19, 2005, Applicant elects Group I and therefore requests that claim 63 be withdrawn from consideration. Applicant reserves the right to prosecute claim 63 in the future in a continuation application.

B. Election

The Examiner asked Applicant to elect one of the following species of the claimed invention:

(a) a cosmetic composition in claims 34-37 and 39

(b) a cosmetic composition in claims 38 and 40

(c) a cosmetic composition in claims 41-45 and 47

(d) a cosmetic composition in claims 48-50, 59 and 60

(e) a cosmetic composition in claims 51-58

(f) a shampoo composition in claims 61-62.

Applicant provisionally elects the species of (a) including claims 34-37 and 39. In addition, claims 41-45, 47, 48-59 and 60 read on the elected species because these claims include all of the limitations recited in independent claim 34.

Serial #: 09/220,986

In reply to Office action mailed: 05/19/2005

Page 13 of 13

The requirement for election between the species of (a), (b), (c), (d), (e) and (f) is respectfully traversed because the embodiments differ only by the inclusion of inactive ingredients and/or varying uses. Applicant discloses the use of "mineral salts such as Dead Sea salts" and further defines the particular mineral salts found in Dead Sea salts as magnesium chloride, potassium chloride, sodium chloride, calcium chloride and magnesium bromide. *See Specification*, pg. 5, lines 11-22. Thus, a search for the limitations included in the provisionally elected species and the claims readable thereon will result in a valid search for the non-elected species.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at 612-607-7595. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees including fees for any extension of time, to Deposit Account No. 50-1901 (Docket 17649-20).

Respectfully submitted,



Barbara A. Wrigley, Reg. No. 34,950
Customer No. 34,205
OPPENHEIMER WOLFF & DONNELLY LLP
Plaza VII, Suite 3300
45 South Seventh Street
Minneapolis, MN 55405
Phone: 612-607-7595
Fax: 612-607-7100
E-mail: Bwrigley@oppenheimer.com